



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2180

DATE FILMED 12/30/88 CAMERA NO. 4

CAMERAMAN AS

83040725117

RECEIVED THE REC

26 MAY 28 AM 11:18

QCC#517
GENE WOLFE

1309 Buffalo Avenue
Calumet City, Illinois 60409
(312) 891-0473

May 19, 1986

36 MAY 28 AM 11:07

RECEIVED
GENERAL COUNSEL

General Counsel
Federal Election Commission
1325 K. Street, N.W.
Washington, IL 20463
Attn: Mr. Kenneth A. Gross

Dear Mr. Gross:

I believe the solicitation from:

Frank Giglio
201 Pulaski Road
Calumet City, IL 60409

and/or

Deborah Ann Rumsa
Calumet Area United to Save Employment
9966 South California
Evergreen Park, IL 60642

and/or

Thornton Twn. Reg. Dem. Org.
Tina Sekula, Treas.
201 Pulaski Road
Calumet City, IL 60409

and/or

Calumet Area Democratic
Election Committee
Address Unknown

to be in violation of 11 CFR 102.13 and 11 CFR 110.11. This mail solicitation was circulated on or about January through March, 1986. There may be violations of 11 CFR 102.1 and 11 CFR 102.15 as well as violations of Internal Revenue Codes and Postal Regulations.

Prior attachments were sent in an original letter of complaint dated April 21, 1986 which was referred to in your letter of May 13, 1986 as April 28, 1986.

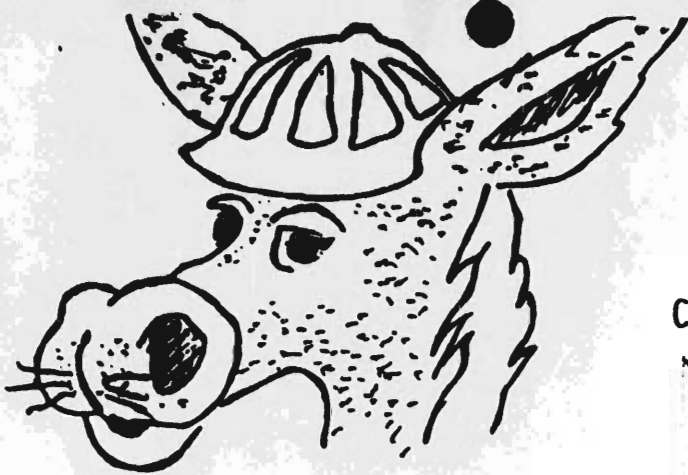
I would like to also draw your attention to a complaint also being filed with the Illinois State Board of Elections; a closed hearing was held on May 12, 1986 with a public hearing scheduled for June 9, 1986. An additional complaint was filed with the I.R.S.

I swear that the contents of this complaint are true to the best of my knowledge.

Sincerely,

Gene H. Wolfe
Gene H. Wolfe

*Spam found subscribed
before me on May 20, 1986
at 350 E. 2nd St. Chicago Ill.
Cook County.
Sheriff D. Mann, Notary*



CAUSE

CALUMET AREA UNITED TO SAVE EMPLOYMENT

Your donation goes to the
Calumet Area Democratic Re-election committee.

Their fighting back to improve job opportunities
for all of us!

LETS PUT DEMOCRATS IN WASHINGTON

SEND DEMOCRATS TO SPRINGFIELD

Let's put people back to work.

CONTRIBUTION FORM

NAME _____
ADDRESS _____ CITY _____
STATE _____ ZIP _____ PHONE # _____

AMOUNT ENCLOSED \$ _____

"A"
HAIR CARE KIT
HAIR CONDITIONER
SHAMPOO
\$16.00

"B"
ATHLETIC KIT
ALOE TONE
JELLY
FIRST AID SPRAY
HOT MASSAGE
\$33.00

"C"
SKIN CARE
FACE MASQUE
REJUVENATING CREME
\$31.00

"D"
SKIN CARE
CLEANSING LOTION GEL
MOISTURE LOTION
BEAUTY BAR
\$20.00

VISA OR MASTER CHARGE # _____ EXPIRATION DATE _____

SEND CHECKS PAYABLE TO

C.A.U.S.E.
P.O.BOX 127
ORLAND PARK, IL. 60462

"ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE"



Whereas, ARTICLES OF INCORPORATION OF CALUMET AREA UNITED TO SAVE EMPLOYMENT INCORPORATED UNDER THE LAWS OF THE STATE OF ILLINOIS HAVE BEEN FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE GENERAL NOT FOR PROFIT CORPORATION ACT OF ILLINOIS, IN FORCE JANUARY 1, A.D. 1964.

Now Therefore, I, Jim Edgar, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this certificate and attach hereto a copy of the Application of the aforesaid corporation.

In Testimony Whereof, I have set my hand and cause to be affixed the Great Seal of the State of Illinois, at the City of Springfield, this 9TH day of SEPTEMBER AD 19 65 and of the Independence of the United States the two hundred and 10TH.

(SEAL)

Jim Edgar
 SECRETARY OF STATE

2735 1 0497

RECEIVED AT THE FEC
GENE WOLFE

66 JUN 26 AIO 26
GCG#812

1309 Buffalo Avenue
Calumet City, Illinois 60409
(312) 891-0473

June 16, 1986

General Counsel
Federal Election Commission
1325 K. Street, N.W.
Washington, D.C. 20463
Attn: Mr. Kenneth A. Gross

Dear Mr. Gross:

In reference to my complaint, MUR 2180, received by you on May 28, 1986, which alleges possible violations of the Federal Election Campaign Act of 1971, as amended, (the "Act"), by Thornton Township Regular Democratic Organization, with Frank Giglio, as committeeman, and Calumet Area United to Save Employment, with Deborah Ann Rumsa, as registered agent.

A complaint has also been filed against the same parties for (similar) violations of Illinois State campaign disclosure statutes - Illinois State Board of Elections case no. 86CD19.

A closed preliminary hearing on 86CD19 was held on May 12, 1986 at the offices of the Illinois State Board of Elections, 100 West Randolph Street, Chicago, Illinois. A public hearing was held on June 9, 1986 at the same location.

A transcript of the June 9, 1986 public hearing may be obtained from the court reporter: Susan Dime-Meenan, Chicago Stenographic Reporters, Inc., 188 W. Randolph, Suite 509, Chicago, Illinois 60601, 312/263-4430. Enclosed are the following:

1. Report of the hearing officer on the May 12, 1986 closed preliminary hearing on 86CD19.
2. Transcript of the May 12, 1986 hearing (incomplete) - containing the testimony of the parties involved.
3. Copy of the invoice for the printing of the solicitation letters and envelopes.
4. Copy of the checks for \$286.34 for the January 4, 1986 mailing and for \$1,539.85 for the January 27, 1986 mailing.
5. Copy of the postal forms for the two mailings.
6. Copy of certification indicating receipts of solicitation by C.A.U.S.E.

G.W.
June 20, 86

Findings of Fact

1. That there was a mailing using the Thornton Township Regular Democratic Organization (T.T.R.D.O.) postal permit #86 on January 27, 1986 with postage paid by Michael Rubino, then Deputy Committeeman.
2. That there was a mailing on January 4, 1986 with postage paid by the T.T.R.D.O.
3. That Dolores Ryan received a solicitation letter on or about January 7, 1986.
4. That Dolores Ryan gave said letter to Gene Wolfe on January 11, 1986.
5. That C.A.U.S.E. received responses to solicitation.
6. That Gene Wolfe requested C.A.U.S.E. corporation charter from the Illinois Secretary of State on January 22, 1986.
7. That said corporate charter was sent to Gene Wolfe by the Illinois Secretary of State on January 28, 1986.
8. That Suburban Printery submitted an invoice dated November 16, 1986 to the T.T.R.D.O. for printing the solicitation letters and envelopes.
9. That Ron Jogndroni of Suburban Printery stated the bill was not paid but he expected the T.T.R.D.O. to pay the bill.
10. That the C.A.U.S.E. organization Inc., an Illinois non-profit corporation, knew of the mailing but objected to the contents of the letters.
11. That the composition, printing, preparation for mailing, and mailing of the two solicitation letters under the postal permit #86, was caused to be done entirely and solely by the T.T.R.D.O. and/or its officers.
12. That the corporate purpose of the C.A.U.S.E. organization (as stated in its corporate charter from the State of Illinois) was misrepresented by the T.T.R.D.O. as being dedicated to the election of Democrats.

13. That the red/blue flyer proposed to "Let's put Democrats in Washington" and "Send Democrats to Springfield."
14. That the letter on T.T.R.D.O. letterhead and signed by Frank Giglio, used the name of Marty Russo (Congressman, 3rd Dist. Illinois) as well as Dick Kelly, Terry Steczo, and Frank Giglio.
15. That no letter authorizing the use of his name was received by the T.T.R.D.O. from Marty Russo or from Dick Kelly, Terry Steczo, or Frank Giglio.
16. That the Calumet Area Democratic Re-election Committee which was mentioned in the red/blue flyer does not exist.
17. That the officers and/or the T.T.R.D.O. intended to support Democratic candidates with proceeds from the solicitation (as stated in the solicitation letters).
18. That the receipts of the solicitation were to go entirely to the C.A.U.S.E. organization. No funds were to revert back to the T.T.R.D.O.
19. That the solicitation letters were approved for mailing by the T.T.R.D.O.
20. That ~~the~~ neither of the letters contains any statement as to who authorized and who paid for the communication or that the communication was not authorized by the candidates named.

Withdrawal of Complaint Against Calumet Area United to Save Employment

In view of the facts which have been brought to light during the Illinois State Board of Election hearings, I hereby withdraw my complaint alleging any and all violations of the Federal Election Campaign Act of 1971, as amended, by the Calumet Area United to Save Employment, with Deborah Ann Rumsa as registered agent.

I hereby swear that the facts listed here are to the best of my knowledge true and correct.

Gene H. Wolfe

June 20, 1986

3 8 0 4 0 7 2 5 1 2 4

*Sworn & subscribed
before me June 20, 1986*

Elaine M. Wolfe
NOTARY PUBLIC

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In The Matter of :

GENE WOLFE,

Complainant,

vs.

DEBORAH ANN RUMSA, agent for
Calumet Area United to Save
Employment, an Illinois Corporation,
CALUMET AREA DEMOCRATIC RE-ELECTION
COMMITTEE, THORNTON TOWNSHIP REGULAR
DEMOCRATIC ORGANIZATION; TINA SEKULA,
TREASURER, and FRANK GIGLIO.

Respondents.

No. 86 CD 19

REPORT OF HEARING EXAMINER FOLLOWING
CLOSED PREMINARY HEARING

This closed preliminary hearing was held as a result of a complaint filed on April 23, 1986 pursuant to "An Act to Regulate Campaign Financing" (Illinois Revised Statute, chapter 46, paragraph 9-1 et. seq., hereinafter referred to as the Act), alleging that Respondents violated Sections 9.8 and 9.9 of the Act in that they were responsible for an unauthorized mailing without notice on the literature pursuant to statute.

The closed preliminary hearing was held on May 12, 1986 at the offices of the State Board of Elections, 100 West Randolph Street, Chicago, Illinois at 1:00 p.m. The hearing was continued by stipulation from May 5, 1986.

Parties present at the closed hearing were as follows: Gerald R. Statza, Hearing Examiner; Gene Wolfe, Complainant; Deborah Ann Rumsa, Respondent; Nancy D. Chausow, representing Rumsa; Tina Sekula, Respondent; Frederick R. Redell, representing Sekula and Giglio; Michael Rubino, witness; Roy Alford, witness; Andrew Viola, Tony Morgando, Thomas Cloonan, and Barbara Mason, all for the State Board of Elections.

BOARDS'S POSITION

Mr. Viola testified that a complaint had been filed on April 23, 1986 by Mr. Wolfe and that Notice and Summons had been mailed and received by all the Respondents, except for the Calumet Area Democratic Re-election Committee,

9 3 0 4 0 7 2 5 1 2 5

agent and address unknown. Mr. Viola also testified that the hearing had been continued by stipulation from May 5, 1986. The Complaint, Notices, and Stipulation were introduced into evidence.

COMPLAINANT'S CASE

Mr. Wolfe testified in narrative concerning an alleged mailing sent to voters on January 27, 1986. In support of his allegations, he introduced the following documents for identification which are received into evidence under the broad evidence section of 26 Illinois Administration Code, Section 125.180;

Complaint Exhibit	#1:	CAUSE solicitation
	#2:	Letter allegedly mailed with solicitation
	#3:	Envelope with mail permit stamp
	#4:	Articles of Incorporation
	#5:	Letter from Wolfe to Postmaster
	#6:	Postmaster record of mailing
	#7:	Group Exhibit, press clippings

Mr. Wolfe alleged that the mailing consisting of Complainant's Exhibits 1 and 2, was mailed by either the Calumet Area United to Save Employment or the Thornton Township Regular Democratic Organization. Mr. Rubino testified that he paid for the mailing with a personal money market check in the amount of \$1,539.85. He further testified that the printing was donated. There was a great deal of conflicting testimony as to who approved letters, prepaid letters, and mailed same. The solicitation clearly does not contain notice pursuant to Section 9.9.

RESPONDENTS CASE

Both counsel for Deborah Ann Rumsa and the Thornton Township Regular Democratic Organization objected to all of the documents entered into evidence. Most of the objections were to relevancy and foundation. (See transcript) Deborah Ann Rumsa, as registered agent and director of Calumet Area United to Save Employment, testified that she did not see the mailing before it was mailed. She also testified that her organization was not partisan or a

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8 9 0 4 0 7 2 5 1 2 7

fundraising arm of the local Democratic Party. Under cross-examination by Mr. Redell, Deborah Ann Rumsa admitted that C.A.U.S.E. had never filed a statement of organization with the State Board.

Mr. Rubino testified that he ordered the printing and paid for the postage for the mailing. He further testified that his money market notation was a check drafted for C.A.U.S.E. Each Respondent denies full responsibility for the mailing.

FINDINGS OF FACT

The Hearing Examiner, having received all evidence from the parties, and within the limited scope of the preliminary hearing makes the following findings of fact:

1. A mailing was made on January 27, 1986 by postal permit.
2. That the mailing did not contain a notice pursuant to Section 9.9.
3. That Michael Rubino paid for the postage on the mailing.
4. That Calumet Area United to Save Employment, Inc. is an Illinois Corporation and through agents, knew of the mailing.

CONCLUSION

Pursuant to document evidence, testimony (transcript) and statute the Hearing Examiner finds the Complaint filed on April 23, 1986 was filed on justifiable grounds against the following Respondents only; Deborah Ann Rumsa, as agent and director of Calumet Area United to Save Employment, Inc. and the Thornton Township Regular Democratic Organization and Tina Sekula, Treasurer. The Hearing Examiner finds the Complaint not filed on justifiable grounds against the Calumet Area Democratic Re-election Committee and Frank Giglio.

Respectfully submitted,

Gerald R. Statza
Hearing Examiner

Dated: May 15, 1986

Complaint No 10 for I.D.
6/9/86 SAD

#10

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF C O O K)
4

5 BEFORE THE STATE BOARD OF ELECTIONS
6 OF THE STATE OF ILLINOIS
7

8 GENE WOLFE,)
9 Complainant,)
10 -vs-) No. 86 CD 19
11 DEBORAH ANN RUMSA and)
12 THORNTON TOWNSHIP REGULAR)
13 DEMOCRATIC ORGANIZATION, TINA)
14 SEKULA, Treasurer, and FRANK)
15 GIGLIO,)
16 Respondents.)
17

18 REPORT OF PROCEEDINGS had in the above-
19 entitled cause, before the Honorable GERALD R.
20 STATZA, Hearing Officer, at 100 West Randolph
21 Street, Room 14, Chicago, Illinois, on the 12th day
22 of May, 1986, at the hour of 1:00 o'clock p.m.
23
24

1 APPEARANCES:

2
3 CHAUSOW & FEINSTEIN, by

4 MS. NANCY D. CHAUSOW,

127 N. Dearborn
372-0884

5 for Deborah Ann Rumsa;

6
7 MR. FREDERICK R. REDELL,

8 for Tina Sekula and Frank Giglio.

9
10 MR. GENE WOLFE, Complainant;11
12 MR. ANDREW VIOLA, Assistant General
13 Counsel;14
15 MR. TONY MORGANDO, Campaign Disclosure;16
17 MR. THOMAS CLOONAN, Campaign Disclosure;18
19 MS. BARBARA MASON, Campaign Disclosure.20
21 ALSO PRESENT:22
23 MR. MICHAEL RUBINO, Witness.

24 Mr. Roy Alford, Witness.

I N D E X

<u>WITNESS</u>	<u>EXAMINATION</u>
ROY ALFORD	
By Ms. Chausow	45, 51
By Mr. Wolfe	50
By Mr. Redell	53
MICHAEL RUBINO	
By Mr. Redell	54
By Mr. Wolfe	57, 66
By Mr. Viola	68, 71
By Ms. Mason	69
DEBORAH RUMSA	
By Ms. Chausow	60
By Mr. Redell	63
By Mr. Viola	64

1 ROY ALFORD,

2 called as a witness herein, having been previously
3 duly sworn, was examined and testified as follows:

4 EXAMINATION

5 BY MS. CHAUSOW:

6 Q. Mr. Alford, you are of Calumet Area United
7 To Save Employment, is that correct?

8 A. Yes.

9 Q. And prior to today's date, have you ever
10 seen the complainant's Exhibits No. 1 and No. 2?

11 A. Yes.

12 Q. And were they in the form as they appear in
13 Complainant's Exhibit No. 1 and No. 2?

14 A. Yes.

15 Q. And where did you see those?

16 A. I saw them at a dinner, at the Martinae.

17 Q. Was that a political fundraiser dinner?

18 A. Yes, it was.

19 Q. And prior to seeing these letters, had you
20 ever dictated or authorized the contents of these
21 two documents?

22 A. No.

23 Q. And when you did see these letters, these
24 two exhibits, Exhibit 1 and Exhibit 2, who showed

1 them to you?

2 A. Mike Rubino.

3 Q. And was he -- and when he showed these to
4 you, did you have any discussion about the contents
5 of these two documents?

6 A. Yes.

7 Q. And did you make any objection to the
8 contents of these documents?

9 A. Yes.

10 Q. And did Mr. Rubino or anyone else tell you
11 that they would make any changes in these documents
12 based on your objection?

13 A. I wasn't told any change will be made.

14 Q. Were you told that no changes would be
15 made?

16 A. I wasn't told anything.

17 Q. Okay. Were you told that your objections
18 would be taken into consideration?

19 A. Yes.

20 Q. And were there any changes made in these
21 documents to the original --

22 MR. REDELL: I'm going to object to the whole
23 line of hearsay.

24 THE HEARING OFFICER: If he was told something

1 directly, I would like him to testify to it. If you
2 didn't, fine.

3 Testify as to what you were told.

4 THE WITNESS: Pardon me?

5 THE HEARING OFFICER: You can testify as to what
6 you were told directly.

7 THE WITNESS: Yes, sir.

8 BY MS. CHAUSOW:

9 Q. From the documents that you saw at that
10 political fundraiser dinner to the documents which
11 have been submitted today as Exhibit 1 and Exhibit
12 2, were any changes made in those documents?

13 A. No.

14 Q. And were any of the things that you
15 objected to changed?

16 A. No.

17 Q. And you were speaking on behalf of
18 C.A.U.S.E., Calumet Area United To Save Employment
19 in making those objections?

20 A. Yes.

21 Q. And did you authorize the mailing of these
22 two items, Exhibit 1 or Exhibit 2, on behalf of
23 C.A.U.S.E.?

24 A. Yes.

1 THE HEARING OFFICER: What was your role with
2 C.A.U.S.E., what's your position?

3 THE WITNESS: Pardon me?

4 THE HEARING OFFICER: What is your position with
5 C.A.U.S.E.?

6 THE WITNESS: Director.

7 THE HEARING OFFICER: Was or are?

8 THE WITNESS: I'm not sure if I am any more
9 authorized.

10 I authorized mailing of the Exhibit
11 No. 1.

12 BY MS. CHAUSOW:

13 Q. Exhibit No. 1, okay.

14 Did you authorize the mailing of No. 2?

15 A. No.

16 Q. Did you authorize the information contained
17 in Exhibit No. 2 relating to C.A.U.S.E.?

18 A. No.

19 Q. And what in fact were you told about these
20 mailings by Mr. Rubino?

21 A. That they were sent out to some people.

22 Q. Did you request them to be mailed to any
23 particular individuals?

24 A. On Exhibit No. 1 to -- any particular

1 individuals?

2 Q. Yes, these mailings?

3 A. No.

4 Q. Did you provide anyone with a mailing list
5 of a number of mailings to be made?

6 A. No.

7 Q. Did you do any of the mailing yourself?

8 A. No.

9 Q. Did C.A.U.S.E. do any of the mailing of
10 these, either one of these exhibits?

11 A. No.

12 Q. Did C.A.U.S.E. pay for the mailing of
13 either one of these exhibits?

14 A. No.

15 Q. Did C.A.U.S.E. do anything with respect to
16 implementing the mailing of any of these exhibits?

17 A. No.

18 Q. When C.A.U.S.E. was organized, the purposes
19 of the organization were stated in the Articles of
20 Incorporation; is that correct?

21 A. Yes.

22 Q. And at no time or at any time, were the
23 purposes of the organization to be dedicated to the
24 election and re-election of Democrats in the area?

1 A. No.

2 Q. And was C.A.U.S.E. intended or ever
3 intended to be a partisan political organization?

4 A. No.

5 Q. And did you authorize that statement in the
6 letter marked as Complainant's Exhibit No. 2?

7 A. No, I didn't.

8 MS. CHAUSOW: No further questions of this
9 witness.

10 MR. WOLFE: Can I ask a question?

11 EXAMINATION

12 BY MR. WOLFE:

13 Q. Just to clarify, you say that one point
14 that you okayed this information and what you just
15 said is you really didn't need -- you okayed the
16 content of this rather than -- because it says let's
17 put Democrats in Washington, et cetera, so did you
18 see this before the mailing?

19 A. Yes.

20 Q. This letter, you did?

21 A. Uh-huh.

22 Q. But you didn't object to it at that time?

23 A. That, no.

24 Q. Okay. Who printed this up, did you or did

1 the Democratic Organization?

2 A. I have no idea.

3 Q. You didn't?

4 A. I did not -- oh, I'm sorry.

5 I don't think I saw that. That was changed
6 when I last saw it. I never saw it with the
7 printer's mark on the bottom.

8 MR. REDELL: If I may interject something here.

9 As far as the whole concept of this thing
10 being misleading, that's not the statutory --

11 THE HEARING OFFICER: You've summarized your
12 case very well, Mr. Wolfe. Do you have any more
13 questions of this witness?

14 MR. WOLFE: No, I don't.

15 MR. REDELL: I'd like to direct one question --

16 MS. CHAUSOW: Could I just have a minute,
17 please?

18 If I may redirect.

19 THE HEARING OFFICER: Sure.

20 FURTHER EXAMINATION

21 BY MS. CHAUSOW:

22 Q. Did you object to anything in Plaintiff's
23 Exhibit 1 or is there anything different about
24 Complainant's Exhibit 1 when you originally saw it?

1 MR. REDELL: Objection to the conference and
2 prior to this -- I don't know if the witness is
3 speaking from the witness' own behalf of what the
4 attorney believes the witness should say.

5 THE HEARING OFFICER: Continue with the
6 objection.

7 MS. CHAUSOW: I object to the inference my
8 client is testifying under oath.

9 THE HEARING OFFICER: The objection is noted and
10 he is testifying under oath.

11 BY MS. CHAUSOW:

12 Q. If you could please look at Exhibit No. 1
13 what did you object to?

14 A. The words, Let's Put Democrats In
15 Washington.

16 Q. Okay. And who did you make that objection
17 to?

18 A. Mike Rubino.

19 Q. And what is that, before the printing or
20 after the printing of this?

21 A. After.

22 Q. After the printing?

23 A. Yes, ma'am.

24 Q. Okay. Did you arrange for the printing of

1 this document?

2 A. No, ma'am, and Send Democrats to
3 Springfield also was objected to.

4 Q. Okay. All right. Did you do any of the
5 original drafting of this document?

6 A. No.

7 MR. REDELL: I have a question.

8 EXAMINATION

9 BY MR. REDELL:

10 Q. At any point in time, were you told that
11 the Thornton Township Regular Democratic
12 Organization obtained the mailings -- or that would
13 be mailed out -- excuse me -- that was a
14 Democratic Organization would pay for this mailing?

15 A. Yes.

16 Q. You were told?

17 A. Yes, sir.

18 Q. This is not an assumption on your part?
19 You were told that the Democratic Organization would
20 pay for that?

21 A. I believe -- yeah, it was, right.

22 MR. REDELL: Okay.

23 THE HEARING OFFICER: No further questions of
24 this witness?

1 MR. REDELL: I have nothing.

2 THE HEARING OFFICER: Do you want to put on a
3 witness?

4 MICHAEL RUBINO,
5 called as a witness herein, having been previously
6 duly sworn, was examined and testified as follows:

7 EXAMINATION

8 BY MR. REDELL:

9 Q. What is your full name?

10 A. Michael Rubino.

11 Q. Spell your last name.

12 A. R-u-b-i-n-o.

13 Q. Mr. Rubino, you are familiar with the
14 mailing or the alleged mailing that went out?

15 A. Yes, sir.

16 Q. And do you have any knowledge as to what or
17 how that mailing was paid for?

18 A. Yes, I do.

19 Q. Could you elaborate on the package, could
20 you elaborate on it, please?

21 A. I paid for the mailing.

22 Q. Out of which fund?

23 A. Out of my pocket.

24 Q. Speaking your pocket, that's your own

1 personal funds?

2 A. My own personal funds.

3 Q. And did you have a check? Was there ever a
4 check written or issued out of your personal
5 documents?

6 A. Out of my Money Market account I wrote a
7 check out January 27th.

8 Q. Do you have the Money Market account?

9 MS. CHAUSOW: How much was that check for?

10 BY MR. REDELL:

11 Q. The Money Market account number, please?

12 A. 25 -- 783040141.

13 Q. And the check is made in the amount and to
14 whom?

15 A. Postmaster, Calumet City, Illinois.

16 THE HEARING OFFICER: What is the date on that
17 check?

18 THE WITNESS: January 27th.

19 BY MR. REDELL:

20 Q. And were there any notations at that time
21 put on that check?

22 A. C.A.U.S.E.

23 Q. Pardon me?

24 A. Notation for C.A.U.S.E.

1 Q. Do you recall putting in any notations on
2 the check itself on the memo part?

3 A. Right.

4 Q. And what did you put in there?

5 A. For C.A.U.S.E.

6 Q. You put on the memo part for C.A.U.S.E.?

7 A. For C.A.U.S.E.

8 Q. And what's -- can I ask you, is this in any
9 way related to the Thornton Township Democratic
10 Organization?

11 A. No.

12 Q. And did you expect to be remunerated for
13 the Thornton Township Democratic Organization for
14 C.A.U.S.E.?

15 A. For C.A.U.S.E.

16 MR. REDELL: I have no further questions.

17 THE HEARING OFFICER: Do you have a copy of that
18 check with you, Mr. Rubino?

19 THE WITNESS: I tell you, I'll never forget
20 where it is, that's where it is, where I forgot it.

21 MR. REDELL: I can get a copy of it from the
22 bank and forward it.

23 THE HEARING OFFICER: Mr. Wolfe, any questions?
24

EXAMINATION

1
2 BY MR. WOLFE:

3 Q. How much money is that check for?

4 A. \$1,539.85.

5 Q. Did you ever make a statement to the effect
6 that monies from this contribution was going to help
7 unemployed people, job training, et cetera, that
8 sort of thing?

9 A. I may have.

10 Q. Did you mail this information out yourself
11 at the Post Office?

12 MR. REDELL: I don't understand the relevance.

13 THE WITNESS: Did I mail it myself? I paid for
14 it.

15 BY MR. WOLFE:

16 Q. You paid for it?

17 A. Yeah.

18 Q. You didn't fill the forms out for the Post
19 Office?

20 A. I can't recall.

21 Q. Because the alleged mailings was on January
22 27th for \$15,000 ^{letters} (sic) which would correspond with
23 your money here, and according to the Post Office,
24 this was made in the name of the Democratic

1 Organization although you may have paid for it, the
2 mailing itself, is listed as a Democratic
3 Organization so --

4 THE HEARING OFFICER: Mr. Wolfe, phrase your
5 questions --

6 MR. REDELL: We haven't established -- we have a
7 date, number one. We haven't established the set
8 foundation for this. I don't know.

9 THE WITNESS: This was filed under the
10 Democratic --

11 BY MR. WOLFE:

12 Q. Was this mailed under the Democratic postal
13 permit?

14 A. I really don't know the number of the
15 postal permit so I can't tell you really.

16 Q. Was it mailed under the label of the
17 Democratic Organization? I'm not asking the number
18 whoever mailed it. Do you know who mailed it?

19 A. I don't know who mailed it. They threw it
20 in the Post Office, that's it.

21 Q. Well, when you went there, you knew what
22 the cost was?

23 MR. REDELL: If the postage was paid for -- the
24 relevancy of the stamp. It was for that given day.

1 MR. WOLFE: Say that again.

2 MR. REDELL: If he bought a roll of stamps, that
3 would be the difference.

4 THE HEARING OFFICER: That's what he's doing,
5 how he mailed it, and how much was the mailing cost
6 per piece.

7 THE WITNESS: I don't have that information with
8 me right now, no, I don't.

9 BY MR. WOLFE:

10 Q. Do you know whether it was mailed under the
11 postal permit of the Democratic Organization?

12 A. I said I don't have that information.

13 MR. WOLFE: I have no further questions.

14 THE HEARING OFFICER: Okay. Any other cross of
15 this witness, just this witness, at this time?

16 All right. Anything further on the --

17 MS. CHAUSOW: I would like to put on Deborah
18 Rumsa, and you've been sworn.

19 THE HEARING OFFICER: And you've been sworn,
20 Mrs. Rumsa. Go ahead and proceed.

21

22

23

24

1 DEBORAH RUMSA,
2 called as a witness herein, having been first duly
3 sworn, was examined and testified as follows:

4 EXAMINATION

5 BY MS. CHAUSOW:

6 Q. You are the director of C.A.U.S.E., is that
7 correct?

8 A. Yes.

9 Q. And you are also the registered agent of
10 the organization?

11 A. Correct.

12 Q. Prior to the mailing of Exhibit 1 and
13 Exhibit 2, had you ever seen those documents to the
14 best of your recollection?

15 A. I can't recall.

16 MR. REDELL: Relevancy, what's the --

17 THE HEARING OFFICER: I think she's talking
18 about --

19 MR. REDELL: I'm just loss of relevancy, whether
20 they've seen the documents before.

21 THE HEARING OFFICER: Well, she hasn't testified
22 to that yet, and she is a named respondent.

23 MR. REDELL: We have identically the same line
24 of questioning as prior.

1 THE HEARING OFFICER: If there's something new
2 she wants to add.

3 BY MS. CHAUSOW:

4 Q. And in the organization of C.A.U.S.E., as a
5 director of that organization, was it ever your
6 intention to act as a fundraising arm for the
7 Democratic party?

8 A. No.

9 Q. And was it the intention of the group
10 C.A.U.S.E. to act as a partisan political
11 organization?

12 A. No.

13 Q. And what were the -- were the purposes of
14 the organization, C.A.U.S.E., as stated in the
15 Articles of Incorporation?

16 A. Yes.

17 Q. And in the Articles of Incorporation, you
18 state a group of citizens would plan to support the
19 election and re-election of candidates who exhibit a
20 true and sincere desirability to save and create
21 jobs for the people of Illinois.

22 Did you in fact refer to any particular
23 political party?

24 A. No.

1 Q. Okay. And did you approve the contents of
2 the letters -- of the Exhibit 1 or Exhibit 2 prior
3 to their mailing?

4 A. I don't believe I saw them.

5 Q. And do the contents of Exhibit 1 and
6 Exhibit 2 accurately reflect the goals and aims of
7 your organization?

8 A. No.

9 Q. And the statement: That all contributions
10 are tax deductible, was that authorized by your
11 organization?

12 A. Not to my knowledge.

13 Q. And these products that were being sold or
14 were being given to people who contributed, those
15 were being purchased by case; is that correct?

16 A. Right.

17 Q. And the net sum of money received from the
18 contribution over the cost of the product would be
19 the income to C.A.U.S.E.; is that correct?

20 A. Right.

21 MS. CHAUSOW: I have no further questions. Did
22 that answer your question?

23 MR. REDELL: Let me --

24 THE HEARING OFFICER: Mr. Wolfe, first.

1 MR. WOLFE: Could I ask him some questions?

2 THE HEARING OFFICER: I'll allow you to recall
3 him at the end so let's stick with this witness.

4 Go first.

5 EXAMINATION

6 BY MR. REDELL:

7 Q. At any given time as C.A.U.S.E., have you
8 ever filed or is C.A.U.S.E. considered to be a
9 political committee within the statutory designation
10 46, Section 91 et seq?

11 A. No.

12 Q. Do you know of any political committee or
13 are you aware of any political committee that is
14 formed under the Calumet Area -- Calumet Area
15 Democratic Re-election Committee?

16 A. No.

17 Q. You have done nothing to C.A.U.S.E. or form
18 a committee or purport to establish a committee
19 under the Calumet Area Democratic Re-Election
20 Committee?

21 A. No.

22 MR. REDELL: That's all.

23 THE HEARING OFFICER: Okay.

24

EXAMINATION

BY MR. VIOLA:

Q. You said there's some information on here that wasn't approved here on this Exhibit 1, all contributions are tax deductible and maybe Let's Put Democrats In Washington and Send Democrats to Springfield, that wasn't authorized?

A. I can testify that I saw this before it was mailed out.

Q. Who did it go to after you saw this, whose hands was it in next?

A. I don't know.

MS. CHAUSOW: Let's just clarify. You saw this after the mailing had already been accomplished; is that correct?

THE WITNESS: I'm not real sure when the mailing went out, and when I saw this, I believe it was after the mailing that I saw the document first.

BY MR. VIOLA:

Q. I'm just kind of confused.

When it left C.A.U.S.E. and when it got to Mr. Rubino --

A. It was never at C.A.U.S.E.

Q. It was never at C.A.U.S.E.?

1 A. Right, it was never at C.A.U.S.E.

2 MR. VIOLA: If I can ask Mr. Rubino a question.

3 THE HEARING OFFICER: Yes, we'll put him back on
4 for Mr. Wolfe's purposes.

5 Are there any other questions from the
6 floor? Not of your client; however, there is a
7 portion of the pending matter as a named respondent.

8 Let's take a five-minute break.

9 (Whereupon, a short break was
10 taken.)

11 THE HEARING OFFICER: Let's go back on the
12 record.

13 86 CD 19, for the limited purposes, I want
14 to recall Mr. Rubino for questions by Mr. Wolfe and
15 Mr. Viola, but limited in scope.

16 MR. REDELL: Limited to what?

17 THE HEARING OFFICER: Limited to what has been
18 testified previously.

19

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1 MICHAEL RUBINO,
2 recalled as a witness herein, having been previously
3 duly sworn, was examined further and testified as
4 follows:

5 EXAMINATION

6 BY MR. WOLFE:

7 Q. Was there a previous mailing to January
8 27th?

9 MS. CHAUSOW: Object. I don't know that there's
10 been any -- a January 27th mailing.

11 MR. REDELL: He made January 27th --

12 MR. WOLFE: To the Post Office.

13 THE HEARING OFFICER: Why don't you rephrase it
14 and ask him if he knows of any other mailings or
15 substances.

16 BY MR. WOLFE:

17 Q. Do you?

18 A. Did I what, Gene?

19 Q. Did you, to your knowledge, mailings of
20 this matter?

21 MR. REDELL: If I may interject, Mr. Rubino does
22 not know what is on the finance reports as an
23 officer of the Thornton Township Democratic
24 Organization, and I don't know if he would have

1 anything were mailed out.

2 THE HEARING OFFICER: He can answer if he knows.

3 THE WITNESS: I don't know what --

4 BY MR. WOLFE:

5 Q. Do you know when this letter was printed?

6 A. Yes, uh-huh.

7 Q. When was it printed?

8 A. In October.

9 Q. In October.

10 Did the Democratic Organization pay for it?

11 A. Nope.

12 Q. Do you know who paid for it?

13 A. Nope, nobody to my knowledge, I don't know.

14 Q. Nobody paid for the printing?

15 A. Not to my knowledge. I ordered it.

16 MR. REDELL: Objection to the statement. We're

17 not talking about the printing of any matters.

18 We're limited to the mailing.

19 THE HEARING OFFICER: He did testify that he did

20 pay for the mailing, and I'll allow him to ask

21 questions relating to that.

22 BY MR. WOLFE:

23 Q. Did anybody list your contribution of

24 \$1,539 on their statement?

1 A. How can --

2 MR. REDELL: Objection.

3 THE HEARING OFFICER: Let him answer.

4 THE WITNESS: How can I account for anybody? I
5 don't know what you're talking about.

6 THE HEARING OFFICER: Your testimony is you
7 don't know.

8 BY MR. WOLFE:

9 Q. You do not know if anybody listed the
10 \$1,500 under campaign report?

11 A. I answered already.

12 THE HEARING OFFICER: He answered already, okay,
13 anything else?

14 MR. WOLFE: That's all.

15 THE HEARING OFFICER: Mr. Viola?

16 FURTHER EXAMINATION

17 BY MR. VIOLA:

18 Q. Mr. Rubino, did you take the things
19 personally to the Post Office to have them mailed?

20 A. Part of it.

21 Q. Were they already in envelopes, folded,
22 addresses on the envelopes already to be mailed?

23 A. I assume so. They were all in bags.

24 Q. And that's the way you received them,

1 that's the way you received them, you took them over
2 to the Post Office?

3 A. I took them in bags.

4 Q. You don't know who gave those to you?

5 A. I did, I did all that.

6 Q. You did the mailing?

7 A. But I didn't carry them all over there by
8 myself.

9 Q. You folded everything, sealed the
10 envelopes, you did the whole shot and assumed --
11 carried them to the Post Office?

12 A. As many as I can carry.

13 EXAMINATION

14 BY MS. MASON:

15 Q. You said these were printed in October.
16 Who printed these?

17 A. Suburban Printery.

18 Q. And you ordered them, but you did not pay
19 for them?

20 A. Right.

21 Q. Who did you ask the bill to be sent to when
22 you ordered them?

23 A. We didn't ask to send the bill. It's a
24 very good friend of mine.

1 Q. So he did it in kind?

2 A. I have not received a bill.

3 Q. You don't know what the amount of the bill
4 was, a total?

5 A. If there is a bill, I don't have no idea,
6 ma'am, I did not see a bill. I ordered them though.

7 Q. How many did you order?

8 A. Oh, I have no idea. I have no idea,
9 fifteen, twenty thousand.

10 Q. Was it one sheet or two sheets?

11 A. No, it was two sheets printed.

12 Q. The rear and --

13 A. It was separate.

14 Q. And that was two different things.

15 Where did you get the envelopes to mail
16 them in?

17 A. I had those as well printed up.

18 Q. What was the return address on the
19 envelope?

20 A. Thornton Township Regular Democratic
21 Organization, I believe, I'm not sure now.

22 MR. REDELL: We haven't established that's a
23 true and correct postage.

24 THE WITNESS: I'm not sure there was -- I had no

1 idea I was coming here today, okay, so that's why
2 I'm not prepared for some of these questions.

3 THE HEARING OFFICER: Anything further from the
4 Board members?

5 FURTHER EXAMINATION

6 BY MR. VIOLA:

7 Q. Where did you get the names and the
8 addresses of the individuals you sent to?

9 MR. REDELL: Relevancy, objection to relevancy.

10 THE HEARING OFFICER: It's noted. You can
11 answer. Do you know?

12 THE WITNESS: I took them off of polling sheets.

13 THE HEARING OFFICER: Polling sheets.

14 Anything further?

15 Do you have some questions of some other
16 witnesses you were going to ask earlier?

17 MS. MASON: No.

18 THE HEARING OFFICER: All right. As far as
19 respondent's case, anything further at this time?

20 MS. CHAUSOW: At the close of evidence, I would
21 like to renew my motion to dismiss this case as to
22 Deborah Rumsa, individually.

23 There has been no evidence presented that
24 there was any action taken or that should have been

1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF C O O K)

4
5 ANNETTE M. MAGGIORE, being first duly sworn, on
6 oath says that she is a court reporter doing
7 business in the City of Chicago; and she reported in
8 shorthand the testimony given in the hearing of said
9 cause, and that the foregoing is a true and correct
10 transcript of her shorthand notes so taken as
11 aforesaid.

12
13
14 Annette M. Maggiore

15 CSR

16
17 SUBSCRIBED AND SWORN TO

18 before me this 13th day

19 of May, A. D., 1986.

20 Diana L. Cocconato
21 Notary Public

22
23
24

Complaints 24 to 14 for I.O.
6/9/86 S&D

#15

**SUBURBAN
PRINTERY**

332 East Kensington Avenue

Chicago, Illinois 60628

229 East 171st Street

South Holland, Illinois 60473

Phone: 312-264-5258

SOLD TO THORNTON TOWNSHIP REGULAR DEMOCRATIC ORGANIZATION
ADDRESS 201 PULASKI ROAD
CITY CALUMET CITY STATE ILLINOIS ZIP CODE 60409

TERMS:

SALESMAN	DATE SHIPPED	VIA	YOUR ORDER NO.	INVOICE DATE	INVOICE NO.
				11-16-85	
QUANTITY	DESCRIPTION	PRICE	AMOUNT	Please check your records, as our records indicate these bills are unpaid. Thank You Suburban Printery <u>THANK YOU</u>	
30,000	#10 REGULAR ENVELOPES	\$ 745.00			
100,000	3 1/2" X 11" LETTERHEADS WITH LETTERS - 1 COLOR - FOLDED	\$ 750.00			
30,000	8 1/2" X 11" CAUSE LETTER (2 COLOR) FOLDED	\$ 1050.00			
		TOTAL \$	2,545.00		

compendium 4 10 1 06 23 4 1 6 4 2 5 1 5 0

MICHAEL RUBINO 1-83		119
1204 E. HOLIDAY-CT., UNIT 403		<i>MA</i>
LANSING, ILL. 60438		Jan. 27th 1986
		70-870/719
Postmaster (Calumet City)		
Fifteen Hundred Thirty-Nine and 85/100		\$ 1539.85
River Oaks Bank		
and Trust Company		
PO Box 109 Calumet City, IL 60438		
Loan for C.A.U.S.E.		
⑆071908704⑆ ⑈25 078 3⑈ 0119⑈		⑈0000153985⑈
INSURED MONEY MARKET ACCOUNT		
CHECK NON-NEGOTIABLE FOR LESS THAN \$500.00		
<i>Michael Rubino</i>		

Driver's Ltc. #R150-5502-8372
VISA #4673-150-972-842 Exp 5/86

Buck Meier
Report

710 2105 111-1235

FIRST STATE BANK
CALUMET CITY, ILL.

U. S. DEPARTMENT OF THE TREASURY
POSTMASTER



JA '86 : 18
OFFICE OF THE
ATTORNEY GENERAL
AMERICAN NATIONAL
COUNCIL, ILLINOIS

THORNTON TOWNSHIP
DEMOCRATIC ORGANIZATION

2653

70-2285
719

PAY
TO THE
ORDER OF

Postmaster of Calumet City
Sec. Hundred. eighty. six

\$ 286.34

DOLLARS



FIRST STATE BANK
OF CALUMET CITY
CALUMET CITY, ILLINOIS

JAN 04 86

John J. DeB...
COMMITTEEMAN
TREASURER

FOR

⑈002653⑈ ⑆071922858⑆ ⑈501⑈200⑈7⑈

⑈0000028634⑈

#13

83040725161



PAY TO THE ORDER OF
FIRST STATE BANK OF CALUMET CITY
FOR DEPOSIT ONLY
U. S. POSTAL SERVICE
CALUMET CITY, ILLINOIS 60409
POSTMASTER

Dec

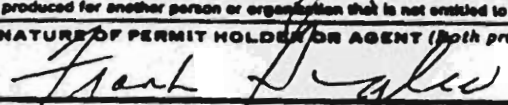
AP4/86

FOR ZONE RATED MAIL USE PS FORM 360

U.S. POSTAL SERVICE STATEMENT OF MAILING WITH PERMIT IMPRINTS		MAILER: Complete all items by typewriter, pen or indelible pencil. Prepare in duplicate if receipt is desired. Check for instructions from your postmaster regarding box labeled "RCA Offices."		PERMIT NO. 86	
POST OFFICE CALUMET CITY		DATE 1-6-86	RECEIPT NO.	SACKS 5	TRAYS 1
CHECK APPLICABLE BOX ☐ 1st Class single piece rate ☐ International ☐ 1st Class Carrier Route		☐ 2nd-Class newspapers and magazines entered at Transient rate. ☒ 3rd-Class circulars and other printed matter. ☐ 3rd-Class Carriage Route Presort		☐ 3rd-Class Merchandise less than 16 ozs. ☐ 3rd-Class Books or catalogs of 34 pages or more, seeds, etc., less than 16 ozs. ☐ 4th Library rate ☐ Special 4th rate ☐ Presorted Special 4th Class	
NAME AND ADDRESS OF PERMIT HOLDER (Include ZIP Code) Thornton Twp Demu Cks 201 PULASKI RD. CALUMET CITY, IL 60409		TELEPHONE NO. 891-6180	WEIGHT OF A SINGLE PIECE		RCA Offices:
☐ Check if non-profit under 623, DMM.*		TOTAL IN MAILING PIECES 2835 POUNDS		RATE CHARGEABLE ☐ PIECE AT 10.1 ☐ POUND	
NAME AND ADDRESS OF INDIVIDUAL OR ORGANIZATION FOR WHICH MAILING IS PREPARED (If other than permit holder) SAME		PRESORT COMPUTATION (If applicable)			
1. PIECE RATE POSTAGE CHARGE		NO. PIECES	RATE/PIECE	POSTAGE	
2. POUND RATE POSTAGE CHARGE		NO. POUNDS	RATE/POUND	POSTAGE	
3. PRESORT		NO. QUALIFYING PIECES	RATE REDUCTION	POSTAGE	
NET POSTAGE (1 or 2 minus 3) \$ 286.34					
*The signature of a nonprofit mailer certifies that: (1) The mailing does not violate section 623.5 DMM and (2) Only the mailer's matter is being mailed; and (3) This is not a cooperative mailing with other persons or organizations that are not entitled to special bulk mailing privileges; and (4) This mailing has not been undertaken by the mailer on behalf of or produced for another person or organization that is not entitled to special bulk mailing privileges.					
SIGNATURE OF PERMIT HOLDER OR AGENT (Both principal and agent are liable for any postage deficiency incurred) Frank Duglis					TELEPHONE NO. 891-6180

PS Form
Jan. 1981 3602Willful Entry of false, fictitious or fraudulent statements or representations hereon punishable
by fine up to \$10,000 or imprisonment up to 5 years, or both (18 USC 1001).Note should
be 1-4-86

38040725162

U.S. POSTAL SERVICE STATEMENT OF MAILING WITH PERMIT IMPRINTS		MAILER: Complete all items by typewriter, pen or indelible pencil. Prepare in duplicate if receipt is desired. Check for instructions from your postmaster regarding box labeled "RCA Offices."		PERMIT NO. 86	
POST OFFICE Calumet City		DATE 1-27-86	RECEIPT NO.	BACKS 18	TRAYS
				OTHER CONTAINERS 4	
CHECK APPLICABLE BOX					
☐ 1st Class single piece rate ☐ International ☐ 1st Class Carrier Route		☐ 2nd Newspapers and magazines entered at Transient rate. ☒ 3rd Circulars and other printed matter. ☐ 3rd Carrier Route Presort		☐ 3rd Merchandise less than 16 ozs. ☐ 3rd Books or catalogs of 24 pages or more, seeds, etc., less than 16 ozs. ☐ 4th Library rate ☐ Special 4th rate ☐ Presorted Special 4th Class	
NAME AND ADDRESS OF PERMIT HOLDER (Include ZIP Code) Thornton Twp. Demo Organization Frank Giglio, Committeeman 201 Pulaski Road Calumet City, IL 60409		TELEPHONE NO. 891-6180	WEIGHT OF A SINGLE PIECE		RCA Offices:
☐ Check if non-profit under 623, DMM. NAME AND ADDRESS OF INDIVIDUAL OR ORGANIZATION FOR WHICH MAILING IS PREPARED (If other than permit holder) SAME		TOTAL IN MAILING		RATE CHARGEABLE	
		PIECES 15,246	POUNDS	☐ PIECE ☐ POUND	AT
		PRESORT COMPUTATION (if applicable)			
		1. PIECE RATE POSTAGE CHARGE	NO. PIECES	RATE/PIECE	POSTAGE
		2. POUND RATE POSTAGE CHARGE	NO. POUNDS	RATE/POUND	POSTAGE
		3. PRESORT	NO. QUALIFYING PIECES	RATE REDUCTION	POSTAGE
		NET POSTAGE (1 or 2 minus 3) 10.1¢			1,539.85
*The signature of a nonprofit mailer certifies that: (1) The mailing does not violate section 623.5 DMM and (2) Only the mailer's matter is being mailed; and (3) This is not a cooperative mailing with other persons or organizations that are not entitled to special bulk mailing privileges; and (4) This mailing has not been undertaken by the mailer on behalf of or produced for another person or organization that is not entitled to special bulk mailing privileges.					SIGNATURE OF PERMIT HOLDER OR AGENT (Both principal and agent are liable for any postage deficiency incurred) 
PS Form Jan. 1981 3602					TELEPHONE NO. 891-6180

Willful entry of false, fictitious or fraudulent statements or representations hereon punishable by fine up to \$10,000 or imprisonment up to 5 years, or both (18 USC 1001).

33740725163

Frederick R. Redell

ATTORNEY AT LAW
376 YATES AVENUE
CALUMET CITY, ILLINOIS 60409

312/ 841-2150

RECEIVED AT THE FEC
GCC#838
36 JUN 30 P12:15

June 23, 1986

Mr. George Demougeot
Federal Elections Commission
1325 K. Street, N.W.
Washington, D.C. 20463

IN RE: MUR 2180

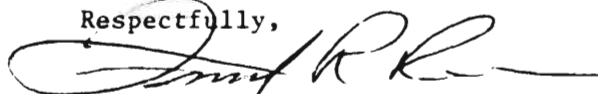
Dear Mr. Demougeot:

Per our phone conversation on June 23, 1986 enclosed please find the STATEMENT OF DESIGNATION OF COUNSEL. Also be advised per our phone conversation that if needed we request an extension of time to answer the complaint.

Also, at this time the Respondant, Mr. Frank Giglio, demands that due to the lack of substance and merit of the allegations stated in MUR 2180 that NO ACTION be taken in the above-mentioned matter.

Your expediency in the handling of this matter is greatly appreciated.

Respectfully,



FREDERICK R. REDELL
Attorney for Respondant

enc.

36 JUN 30 P2:42

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

98040725164

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2180

NAME OF COUNSEL: FREDERICK R. REDELL

ADDRESS: 376 Yates Avenue

Calumet City, IL 60409

TELEPHONE: 312/891-4577

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

June 20, 1996
Date

Frank Giglio
Signature

RESPONDENT'S NAME: FRANK GIGLIO

ADDRESS: Thornton Township Regular

Democratic Organization

201 Pulaski Road

Calumet City, IL 60409

HOME PHONE:

BUSINESS PHONE: 312/891-6180

93040725165



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 26, 1986

Mr. Gene Wolfe
1309 Buffalo Avenue
Calumet City, Illinois 60409

RE: MUR 2180

Dear Mr. Wolfe:

On September 24, 1986 the Commission mailed you a letter acknowledging receipt of supplemental information. That letter incorrectly referenced this matter as MUR 2212. Please note that the proper designation for this matter is MUR 2180.

Sincerely,

Charles N. Steele
General Counsel

BY: *Lawrence M. Noble*
Lawrence M. Noble
Deputy General Counsel

28040725166



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 24, 1986

VIA EXPRESS MAIL

Tina Sekula, Treasurer
Thornton Township Regular
Democratic Organization
201 Pulaski Road
Calumet City, Illinois 60409

Re: MUR 2180

Dear Ms. Sekula:

This letter is to notify you that the Federal Election Commission received a complaint and supplemental information which allege that Thornton Township Regular Democratic Organization and you, as treasurer, may have violated sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint and supplemental information are enclosed. We have numbered this matter MUR 2180. Please refer to this number in all future correspondence.

The complaint and supplemental information were not sent to you earlier due to an administrative oversight. Under the Act, you have the opportunity to demonstrate, in writing, that no further action should be taken against you and your organization in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040725167

If you have any questions, please contact Robert Raich, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By: *Lawrence M. Noble*
Lawrence M. Noble
Deputy General Counsel

Enclosures

Complaint and supplemental information
Procedures
Designation of Counsel Statement

88040725168



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 24, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Deborah Ann Rumsa
Calumet Area United to Save Employment
9966 South California
Evergreen Park, Illinois 60642

Re: MUR 2180
Deborah Ann Rumsa
Calumet Area United to
Save Employment

Dear Ms. Rumsa:

On June 3, 1986, you were notified that the Federal Election Commission received a complaint from Gene Wolfe alleging that you and Calumet Area United to Save Employment may have violated certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

On June 26, 1986, the Commission received supplemental information from the complainant pertaining to the allegations in the complaint. We are enclosing a copy of that information.

If you have any questions, please contact Robert Raich, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble
By: Lawrence M. Noble
Deputy General Counsel

Enclosure

93040725169

perm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 24, 1986

Mr. Gene Wolfe
1309 Buffalo Avenue
Calumet City, Illinois 60409

Re: ²¹⁸⁰
~~MUR 2212~~

Dear Mr. Wolfe:

This letter acknowledges receipt of the supplemental information you provided which the Commission received on June 26, 1986. The respondents will be sent copies of the supplemental information. Be advised that the Commission cannot dismiss a matter solely on the basis of a complainant's withdrawal of the complaint. The Commission makes its determinations only after consideration of all the available information.

You will be notified as soon as the Commission takes final action on your complaint. Should you receive additional information in this matter, please forward it to this Office. We suggest that such information be sworn to in the same manner as the original complaint. If you have any questions, please contact Retha L. Dixon, docket clerk, at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble

By: Lawrence M. Noble
Deputy General Counsel

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plm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 24, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frederick R. Redell, Esquire
376 Yates Avenue
Calumet City, Illinois 60409

Re: MUR 2180
Frank Giglio

Dear Mr. Redell:

On June 2, 1986, your client was notified that the Federal Election Commission received a complaint from Gene Wolfe alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint.

On June 26, 1986, the Commission received supplemental information from the complainant pertaining to the allegations in the complaint. We are enclosing a copy of that information.

If you have any questions, please contact Robert Raich, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Lawrence M. Noble
(LNF)

Enclosure

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION
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FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

MUR # 2180
DATE SUPPLEMENT TO COMPLAINT
RECEIVED BY OGC 6/26/86
DATE OF NOTIFICATION TO
RESPONDENTS 9/24/86
STAFF MEMBER Raich

COMPLAINANT'S NAME: Gene H. Wolf

RESPONDENTS' NAMES: Thornton Township Regular Democratic
Organization and Tina Sekula, as
treasurer
Frank Giglio
Calumet Area United to Save Employment

RELEVANT STATUTES: 2 U.S.C. § 433(a)
2 U.S.C. § 434(a)(1)
2 U.S.C. § 441d(a)(3)
2 U.S.C. § 441b(a)

INTERNAL REPORTS CHECKED: Committee Cross Index

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

This matter was initiated by a complaint from Gene Wolf against Thornton Township Regular Democratic Organization (the "Committee") and Tina Sekula, as treasurer, Frank Giglio, and Calumet Area United to Save Employment ("CAUSE") and Deborah Ann Rumsa, Director. 1/

The complaint indicates that in January 1986 the Committee mailed a solicitation (Attachment 1) to approximately 18,000

1/ The original complaint also named Calumet Area Democratic Election Committee as a respondent, but the supplement to the complaint states that no such committee exists.

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registered voters.

The solicitation consists of two sheets of paper. One sheet is a letter, on the Committee's letterhead, signed by Frank Giglio as "Committeeman." The letter encourages readers to contribute to CAUSE, a new organization "dedicated to the election and re-election of Democrats in our area." The second sheet contains a CAUSE contribution form. It includes the statement, "LET'S PUT DEMOCRATS IN WASHINGTON." Neither sheet contains a disclaimer stating who paid for or authorized the solicitation. 2/

The complaint alleges that the solicitation was prepared and mailed entirely and solely by the Committee. Evidence supplied by the complainant indicates that the solicitation cost \$2,545 to print and \$1,826 to mail. The Committee has not filed a Statement of Organization or a report of receipts and disbursements with the Commission.

CAUSE is an Illinois not-for-profit corporation incorporated on September 9, 1985. Its stated purpose is "to support the election and re-election of candidates" (See Attachment 2.) Under Illinois law, corporations may make unlimited contributions in connection with state elections.

The complaint implies that the Committee intended to support

2/ From the information provided, this Office cannot determine how CAUSE and the Committee are connected organizationally. It can reasonably be inferred, however, that a close connection existed because the Committee mailed out a solicitation for the benefit of CAUSE.

Democratic candidates with proceeds it would receive from the solicitation. Evidence in the supplemental complaint, however, indicates that there may have been a misunderstanding between CAUSE and the Committee. At an Illinois State Board of Elections hearing, Deborah Ann Rumsa indicated in her testimony that CAUSE is not affiliated with any political party. It is not clear whether CAUSE shared proceeds from the solicitation with the Committee, or whether CAUSE contributed to, or made expenditures in connection with, any federal or non-federal election.

Only one respondent, Frank Giglio, responded to the complaint. In the response, Giglio's lawyer asserts that the allegations in the complaint lack substance and merit, but he fails to provide any explanation for his assertion. (See Attachment 3.)

FACTUAL AND LEGAL ANALYSIS

1. The Committee

All committees (other than authorized campaign committees and separate segregated funds) must file a Statement of Organization within ten days after becoming a political committee. 2 U.S.C. § 433(a). Each treasurer of a political committee must file reports of receipts and disbursements with the Commission. 2 U.S.C. § 434(a)(1). The term "political committee" means any local committee of a political party which makes expenditures aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. § 431(4)(C). The term "expenditure" includes any purchase, payment, or distribution made by any

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person for the purpose of influencing any election for federal office. 2 U.S.C. § 431(9)(A)(i).

The available evidence indicates that the Committee spent more than \$1,000 on a solicitation that stated, inter alia, "LET'S PUT DEMOCRATS IN WASHINGTON." It thus appears that the Committee was required to register and report with the Commission, but the Committee has failed to do so. Accordingly, this Office recommends that the Commission find reason to believe the Committee and Tina Sekula, as treasurer, violated 2 U.S.C. §§ 433(a) and 434(a)(1).

Whenever any person solicits any contribution through any direct mailing, the communication (if not authorized by a candidate, candidate's committee, or agents thereof) must clearly state who paid for the communication and that the communication is not authorized by any candidate or candidate's committee. 2 U.S.C. § 441d(a)(3).

The Committee's solicitation (Attachment 1) does not contain the required disclaimer. Accordingly, this Office recommends that the Commission find reason to believe the Committee and Tina Seklua, as treasurer, violated 2 U.S.C. § 441d(a)(3).

2. Frank Giglio

Frank Giglio signed the solicitation, as "Committeeman" of the Thornton Township Regular Democratic Organization. Thus, Giglio, too, may possibly have violated 2 U.S.C. § 441d(a)(3). Because this Report already recommends reason to believe findings against the Committee and the Committee's Treasurer, the General

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Counsel's Office is of the view that additional findings against the Committeeman are unnecessary. Accordingly, this Office recommends that the Commission take no action against Frank Giglio.

3. CAUSE

Every committee (other than an authorized campaign committee or a separate segregated fund) must file a Statement of Organization within ten days after becoming a political committee. 2 U.S.C. § 433(a). Each treasurer of a political committee must file reports of receipts and disbursements with the Commission. 2 U.S.C. § 434(a)(1). The term "political committee" means any committee, club, association, or other group of persons which receives contributions or makes expenditures aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. § 434(4)(A). It is unlawful for any corporation to make a contribution or expenditure in connection with a federal election, or for any officer or director of a corporation to consent to any such contribution or expenditure by the corporation. 2 U.S.C. § 441b(a). The terms "contribution" and "expenditure" include money or anything of value made by any person for the purpose of influencing any election for federal office. 2 U.S.C. §§ 431(8)(A) and 431(9)(A). A political committee may incorporate if it does so for liability purposes only. 11 C.F.R. § 114.12(a).

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CAUSE is a corporation. That fact, however, is not dispositive on the issue of whether CAUSE is a political committee. Pursuant to 11 C.F.R. § 114.12(a), political committees can be incorporated. Consequently, we must review the circumstances involved here to determine whether it appears that this corporation is a political committee. In its articles of incorporation, CAUSE states its purpose is "to support the election and re-election of candidates," and there is no evidence presently available indicating that CAUSE limited its activity to non-federal elections. In addition, it seems probable that CAUSE gave the Committee some of the money CAUSE received as a result of the Committee's solicitation. CAUSE has not registered as a political committee nor filed any reports of receipts and disbursements with the Commission. Therefore, at this point we do not know whether CAUSE is an incorporated political committee required to report or a non-political committee corporation subject to the prohibitions of 2 U.S.C. § 441b. Because its purpose is to support the election and reelection of candidates, and there is no evidence limiting that to non-federal candidates, this Office believes there is reason to believe CAUSE may be a political committee. Furthermore, if CAUSE is a political committee it may have received corporate contributions or made expenditures from corporate funds because Illinois law permits such contributions in state elections. Accordingly, this Office recommends that the Commission find reason to believe CAUSE violated 2 U.S.C. §§ 433(a) and 434(a)(1) and § 441b(a).

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Because of the lack of available information concerning CAUSE and its activities, this Office has prepared Questions to CAUSE. The Questions are designed to determine the nature and extent of CAUSE's financial involvement in federal elections, the relationship between CAUSE and the Committee, and the purpose(s) for which CAUSE incorporated. This Office recommends that the Commission approve the attached Questions.

RECOMMENDATIONS

1. Find reason to believe Thornton Township Regular Democratic Organization and Tina Sekula, as treasurer, violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441d(a)(3).
2. Take no action against Frank Giglio.
3. Find reason to believe Calumet Area United to Save Employment violated 2 U.S.C. §§ 433(a), 434(a)(1) and 441b(a).
4. Approve the attached Questions.
5. Approve and send the attached letters.

Charles N. Steele
General Counsel

Date

12/3/80

By:

Lawrence M. Noble (LON)
Lawrence M. Noble
Deputy General Counsel

Attachments

1. Solicitation
2. CAUSE's Articles of Incorporation
3. Frank Giglio's response
4. Questions
5. Letters (3)

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Thornton Township Regular Democratic
Organization and Tina Sekula, as
treasurer
Frank Giglio
Calumet Area United to Save Employment

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MUR 2180

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal
Election Commission, do hereby certify that on December 8,
1986, the Commission decided by a vote of 6-0 to take
the following actions in MUR 2180:

1. Find reason to believe Thornton Township
Regular Democratic Organization and Tina
Sekula, as treasurer, violated 2 U.S.C.
§§ 433(a), 434(a)(1), and 441d(a)(3).
2. Take no action against Frank Giglio.
3. Find reason to believe Calumet Area United
to Save Employment violated 2 U.S.C.
§§ 433(a), 434(a)(1) and 441b(a).
4. Approve the Questions, as recommended in
the First General Counsel's Report signed
December 3, 1986.
5. Approve and send the letters, as recommended
in the First General Counsel's Report signed
December 3, 1986.

Commissioners Aikens, Elliott, Josefiak, McDonald,
McGarry and Thomas voted affirmatively for this decision.

Attest:

12-9-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

33040725179



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 12, 1986

Frederick R. Redell, Esquire
376 Yates Avenue
Calumet City, Illinois 60409

Re: MUR 2180
Frank Giglio

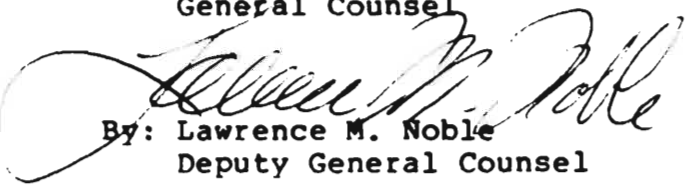
Dear Mr. Redell:

The Commission has notified your client of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended.

On December 8, 1986, on the basis of the information in the complaint, the Commission voted to take no action against Frank Giglio. Accordingly, the Commission closed its file in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed with respect to all respondents involved. The Commission will notify you when the entire file has been closed.

Sincerely,

Charles N. Steele
General Counsel


By: Lawrence M. Noble
Deputy General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 15, 1986

Deborah Ann Rumsa, Director
Calumet Area United to Save Employment
9966 South California
Evergreen Park, Illinois 60642

Re: MUR 2180
Calumet Area United to
Save Employment

Dear Ms. Rumsa:

The Federal Election Commission notified you and Calumet Area United to Save Employment of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaint and supplemental information have been forwarded to you.

Upon further review of the allegations contained in the complaint, the Commission, on December 8, 1986, determined that there is reason to believe Calumet Area United to Save Employment violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441b(a) by failing to register and report as a political committee, and by making corporate contributions or expenditures. As of this date, we have received no response from Calumet Area United to Save Employment in connection with this matter.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Calumet Area United to Save Employment. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit such materials along with your response to the enclosed Questions. It is required that you submit the information under oath and that you do so within ten days of your receipt of the Questions.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to the Questions. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel and authorizing such counsel to receive any notifications or other communications from the Commission.

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If pre-probable cause conciliation is requested, the Commission may decide not to propose a conciliation agreement until it has completed its review and analysis of the submitted materials. In the absence of any additional information which demonstrates that no further action should be taken against Calumet Area United to Save Employment, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. You should be advised, however, that the Commission is not required to enter into any negotiations directed towards reaching a conciliation agreement unless and until it makes a finding of probable cause to believe. See 11 C.F.R. § 111.18(d).

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Robert Raich, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens
Chairman

Enclosures
Questions
Procedures
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 15, 1986

Tina Sekula, Treasurer
Thornton Township Regular Democratic Organization
201 Pulaski Road
Calumet City, Illinois 60409

Re: MUR 2180
Thornton Township Regular
Democratic Organization and
Tina Sekula, as treasurer

Dear Ms. Sekula:

The Federal Election Commission notified Thornton Township Regular Democratic Organization and you, as treasurer, on September 24, 1986, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaint and supplemental information were forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on December 8, 1986, determined that there is reason to believe Thornton Township Regular Democratic Organization and you, as treasurer, have violated 2 U.S.C. § 433(a) by failing to register as a political committee, 2 U.S.C. § 434(a)(1) by failing to file reports of receipts and disbursements, and 2 U.S.C. § 441d(a)(3) by failing to include a disclaimer on a solicitation.

As of this date, we have received no response from you in connection with this matter.

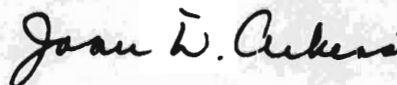
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made Public.

If you have any questions, please contact Robert Raich, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens
Chairman

Enclosure
Procedures

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MUR 2180

December 29, 1986

Deborah Ann Rumsa, Director
Calumet Area United to Save Employment
9966 South California
Evergreen Park, IL 60642

Federal Election Commission
Washington, DC 20463
Attn: Mr. Robert Raich

Dear Mr. Raich:

C.A.U.S.E. never endorsed one candidate over another or spent money to elect or defeat one candidate over another.

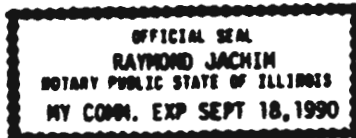
The corporation has no money and is now dissolved. Thornton Township Regular Democratic Organization was not authorized to send out the flyer. C.A.U.S.E. specifically objected to the language relating to the tax deductibility. C.A.U.S.E. specifically asked Thornton Township Regular Democratic Organization not to include their name in the flyer.

C.A.U.S.E. received \$1,526 in the form of contributions. No money went to the Thornton Township Regular Democratic Organization. Money was spent on legal fees, products and as itemized on Schedule B attached.

I verify that the facts attested to above are true and correct to the best of my knowledge.

Deborah Ann Rumsa
Deborah Ann Rumsa, director

Subscribed and sworn to before me this 6TH day of JANUARY 1987.



Raymond Jackim
Notary Public

Frederick R. Redell

ATTORNEY AT LAW
376 YATES AVENUE
CALUMET CITY, ILLINOIS 60409

312/ 841-2150

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87 JAN 30 P4:01

January 28, 1987

Mr. Robert Raich
Federal Elections Commission
999 E Street N.W.
Washington D.C. 20463

IN RE: MUR 2180

Dear Mr. Raich:

Per our phone conversation enclosed please find the STATEMENT OF DESIGNATION OF COUNSEL. In addition please tender a copy of the complaint and all documents relative to this matter so that I can ably prepare an answer.

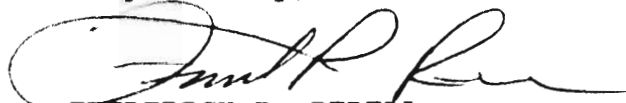
Please acknowledge receipt of this correspondence as soon as possible so that I can rest assured that it is in your possession and that we can dispose of this matter expediently.

Please be advised that an extension of time will be needed to fairly and properly answer the allegations in the above-mentioned matter.

I can be contacted at the above address or I can be reached at 312/891-4577.

Thanking you in advance for your cooperation.

Respectfully,


FREDERICK R. REDELL

enc.
Statement of Designation of Counsel

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 2180

NAME OF COUNSEL: Frederick R. Redell

ADDRESS: 376 Yates Avenue

Calumet City, Illinois 60409

TELEPHONE: 312-891-4577

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

January 12, 1987
Date


Signature

RESPONDENT'S NAME: Thornton Township Regular Democratic Organization
Tina Sekula, Treasurer

ADDRESS: 201 Pulaski Road

Calumet City, Illinois 60409

HOME PHONE: 312-891-6830

BUSINESS PHONE: 312-891-6180

88040725197



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 5, 1987

Frederick R. Redell, Esquire
376 Yates Avenue
Calumet City, Illinois 60409

Re: MUR 2180
Thornton Township Regular
Democratic Organization
and Tina Sekula, as
treasurer

Dear Mr. Redell:

Pursuant to your request, enclosed are copies of all documents the Commission has previously sent your clients.

Sincerely,

Charles N. Steele
General Counsel

By: Lois G. Lerner
Associate General Counsel

Attachments

Complaint

Supplemental information

Letter forwarding complaint and supplemental information

Reason to believe notification

03040725198

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Thornton Township Regular) MUR 2180
Democratic Organization and)
Tina Sekula, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 15, 1986, the Commission mailed Thornton Township Regular Democratic Organization (the "Committee") and Tina Sekula, as treasurer, a letter informing them of the Commission's reason to believe findings against them. The attorney representing the Committee and its treasurer has stated that the treasurer received the Commission's notification on December 27, 1986. Accordingly, a response would be due January 12, 1987.

On December 30, 1986, the respondents' attorney called a Commission attorney, inquiring about how to request an extension of time. On January 12, 1987, the respondents' attorney told the Commission attorney that he had mailed an extension request on January 8, 1987. The Commission never received that request. On January 28, 1987, the respondents' attorney called to ask whether the Commission had sent a response to his extension request. Upon learning that we had not received it, he stated that he would send another request immediately. He also stated that he would like a copy of the complaint because his client could not locate the one the Commission sent her earlier. On February 4, 1987, this Office received the attached request for an extension of time. (Attachment 1) This Office has provided the

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respondents' attorney with copies of all documents the Commission previously sent his client. (Attachment 2).

It is the position of the General Counsel's Office that because the first request for an extension of time was apparently lost in the mail, and because the respondents needed copies of the complaint and related documents, an extension of time is justified. This Office recommends that the Commission grant the respondents an extension of time of until 10 days following receipt of the attached letter to respond to the Commission's reason to believe findings.

II. RECOMMENDATIONS

1. Grant Thornton Township Regular Democratic Organization and Tina Sekula, as treasurer, an extension of time of until 10 days following receipt of the attached letter to respond to the Commission's reason to believe findings.
2. Approve and send the attached letter.

Charles N. Steele
General Counsel

Date

2/6/87

By

Lawrence M. Noble
Deputy General Counsel

Attachments

1. Request for extension of time
2. Letter forwarding documents
3. Proposed letter

93740725100

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2180
Thornton Township Regular)
Democratic Organization and)
Tina Sekula, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 11, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2180:

1. Grant Thornton Township Regular Democratic Organization and Tina Sekula, as treasurer, an extension of time of until 10 days following receipt of the letter to respond to the Commission's reason to believe findings.
2. Approve and send the letter, as recommended in the General Counsel's Report signed February 6, 1987.

Commissioners Aikens, Elliott, Josefiak, McDonald McGarry and Thomas voted affirmatively for this decision.

Attest:

2/12/87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Mon., 2-9-87, 1:07
Circulated on 48 hour tally basis: Mon., 2-9-87, 4:00
Deadline for vote: Wed., 2-11-87, 4:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 19, 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frederick R. Redell, Esquire
376 Yates Avenue
Calumet City, Illinois 60409

Re: MUR 2180
Thornton Township Regular
Democratic Organization
and Tina Sekula, as
treasurer

Dear Mr. Redell:

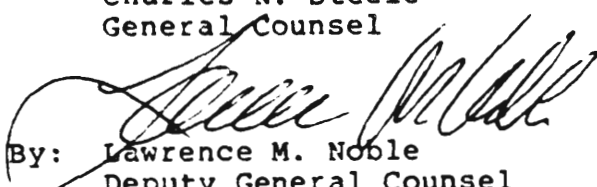
This is in response to your letter dated January 28, 1987, in which you request an extension of time to respond to the Commission's reason to believe findings against your clients.

After considering the circumstances presented in your letter, the Commission has determined to grant you an extension of until 10 days following your receipt of this letter.

If you have any questions, please contact Robert Raich, the attorney handling this matter, at 202/376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: 
Lawrence M. Noble
Deputy General Counsel

28040725102

Frederick R. Redell

ATTORNEY AT LAW
376 YATES AVENUE
CALUMET CITY, ILLINOIS 60409

312/ 841-2150

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37 MAR 11 49:43

March 3, 1987

Mr. Robert Raich
Federal Elections Commission
999 E Street N.W.
Washington D.C. 20463

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OF THE
GENERAL COUNSEL
37 MAR 11 AIO: 18

IN RE: MUR 2180 Thornton Township Regular Democratic
Organization and Tina Sekula, as treasurer.

Dear Mr. Raich:

This letter serves as a response to the complaint filed alleging violations of the Federal Elections Campaign Act of 1971 (hereinafter, "The Act").

Firstly, my client, Thornton Township Regular Democratic Organization, Tina Sekula, Treasurer, states emphatically that there is no justiciable cause that the Federal Election Commission can rightfully act upon. As such, my client moves this Honorable Commission to dismiss the complaint as filed against them.

Moreover, the following is a response to the specific allegations:

1. Alleged violations of 2 U.S.C. sec. 433(a); Thornton Township Regular Democratic Organization is a locally formed political committee, which conducts its election activities and actions as a local committee, and has not pursued, in any way, endeavors or actions that would require or mandate the filing as a Federal Committee, as defined and mandated by "The Act".

2. Alleged violations of 2 U.S.C. sec. 434(a)(1); Thornton Township Regular Democratic Organization is a locally formed political committee, and is not now, nor has it ever been a Federal Committee, nor has it performed any endeavors or activities as a Federal Committee or any such endeavors or activities that would require it to file as a Federal Committee as defined and mandated by "The Act". Consequently, Thornton Township Regular Democratic Organization, conducts its activities as a local committee and does not and should not be considered a proper committee for the purposes of reporting receipts and disbursements as a Federal Committee, as defined and mandated by "The Act".

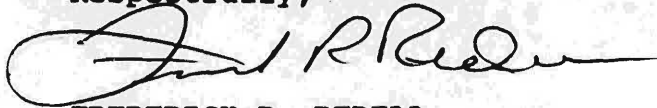
3. Alleged violations of 2 U.S.C. sec. 441d(a)(3); Thornton Township Regular Democratic Organization has not made any expenditures advocating the election or defeat of a clearly identified candidate. Moreover, Thornton Township Regular Democratic Organization has not solicited funds of any kind as defined by "The Act" for, or on behalf of, any clearly identified federal candidate, as defined by "The Act".

For the above mentioned reasons Thornton Township Regular Democratic Organization, Tina Sekula as Treasurer ask that this Honorable Commission to promptly dismiss the above captioned complaint.

I can be contacted at the above address or I can be reached at 312/891-4577.

Thanking you in advance for your cooperation and your expeditious handling of this matter.

Respectfully,



FREDERICK R. REDELL

23040725194

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

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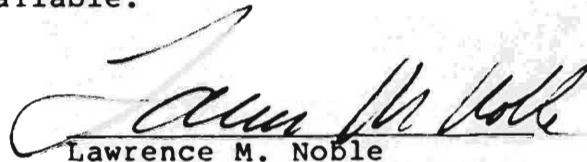
In the Matter of)
)
Thornton Township Regular) MUR 2180
Democratic Organization)
and Tina Sekula, as treasurer)
Calumet Area United to Save)
Employment)

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to Thornton Township Regular Democratic Organization, and Tina Sekula, as treasurer; and Calumet Area United to Save Employment, based on the assessment of the information presently available.

Date

9/12/82



Lawrence M. Noble
Acting General Counsel

280040725105

SENSITIVE

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87 DEC -7 AM 11:24



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 7, 1987

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR #2180

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. Copies of the briefs and letters to the respondents were mailed on December 4, 1987. Following receipt of the respondents' replies to the briefs, this Office will make a further report to the Commission.

Attachments

1-Briefs

2-Letters to respondents

28040725106



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 4, 1987

Frederick R. Redell, Esquire
376 Yates Avenue
Calumet City, Illinois 60409

RE: MUR 2130
Thornton Township
Regular Democratic
Organization and
Tina Sekula, as
treasurer

Dear Mr. Redell:

Based on a complaint filed with the Federal Election Commission on May 28, 1986, the Commission on December 8, 1986, found that there was reason to believe your clients violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441d(a)(3), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation occurred. The Commission may or may not approve the General Counsel's recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation occurred.

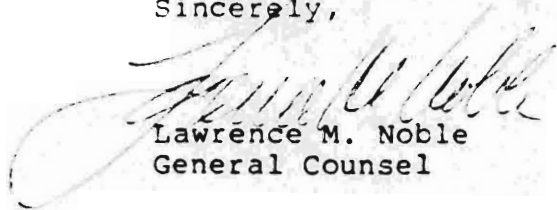
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If you are unable to file a response brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90, days to settle this matter through conciliation.

Should you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

88040725198

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Thornton Township Regular Democratic)
Organization and Tina Sekula, as)
treasurer)

MUR 2180

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On December 8, 1986, the Commission found reason to believe Thornton Township Regular Democratic Organization (the "Committee"), and Tina Sekula, as treasurer, violated 2 U.S.C. §§ 433(a) and 434(a)(1) by failing to register and report as a political committee, and 2 U.S.C. § 441d(a)(3) by failing to include a disclaimer on a solicitation.

The basis for these findings was contained in a complaint filed by Gene Wolfe. The complaint indicated that in January 1986 the Committee mailed a solicitation to approximately 18,000 registered voters. The \$4,371 cost of printing and mailing the solicitation was paid for by the Committee. The solicitation consisted of two sheets of paper, the first a cover letter encouraging readers to contribute to CAUSE, an organization "dedicated to the election and re-election of Democrats in our area." The body of the letter identified three "average-type individuals seeking to serve," including U.S. Representative Marty Russo. The second sheet contained a CAUSE contribution form. It included the statement "Let's put Democrats in Washington." Neither sheet contained a disclaimer stating who paid for or authorized the solicitation. CAUSE is an Illinois not-for-profit corporation incorporated on September 9, 1985.

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Under Illinois law, corporations may make unlimited contributions in connection with state elections. The complaint implied that the Committee intended to support Democratic candidates with the proceeds it would receive from the solicitation it apparently mailed on behalf of CAUSE.

Evidence supplied in a supplemental complaint, and in the response provided by CAUSE Director Deborah Ann Rumsa, however, indicates there was a misunderstanding between CAUSE and the Committee. At a May 12, 1986, Illinois State Board of Elections hearing, Ms. Rumsa testified that CAUSE is not affiliated with any political party. Further, Ms. Rumsa testified, CAUSE never endorsed any federal candidate or made expenditures to advocate the election or defeat of any federal candidate.

According to Ms. Rumsa, CAUSE did not authorize the Committee to send out the solicitation, specifically asked that its name not be used in the mailing, and objected to the mailing after learning of it. CAUSE received \$1,526 in the form of donations from the mailing. However, no share of the donations was returned to the Committee. According to an expenditure disclosure form, CAUSE spent an amount greater than it received from the solicitation on legal fees, products advertised in the solicitation, and loan repayments to CAUSE officials. CAUSE is now dissolved as a corporation.

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II. ANALYSIS

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The terms "contribution" and "expenditure" include any gift, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. 2 U.S.C. §§ 431(8)(A)(i) and 431(9)(A)(i). The term "political committee" means any committee which receives contributions or makes expenditures aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. § 431(4). Each political committee must file a Statement of Organization. 2 U.S.C. § 433(a). Each treasurer of a political committee must file reports of receipts and disbursements. 2 U.S.C. § 434(a)(1).

The available evidence indicates that the Committee spent more than \$1,000 on a solicitation that stated, inter alia, "Let's put Democrats in Washington." In a response sent by its counsel, the Committee contended that it is a "locally formed committee" that has never pursued any action that would require it to register as a federal committee. However, based on the evidence before the Commission, it appears that the Committee expended more than \$1,000 in printing and mailing the solicitation. Included in the original complaint was a copy of an invoice listing a \$2,545 printing charge owed by the Committee to a printer for 30,000 letterheads and the "CAUSE letter." Also included in the complaint were postal mailing receipts for two

Committee mailings totaling slightly more than 18,000 pieces. Both statements are signed by Frank Giglio, a Committee official. Thus, despite contentions by the Committee's attorney to the contrary, the Committee appears to have substantially exceeded the \$1,000 threshold for incurring registration and reporting obligations under the Act. The available evidence indicates that more than \$4,000 was expended to print and mail a solicitation that included the name of a U.S. Representative and the statement, "Let's put Democrats in Washington."

The Committee's mailing could be exempted from the contribution and expenditure definitions as a slate card or printed listing of three or more candidates for public office who are running in the state in which the committee is organized. 2 U.S.C. §§ 431(8)(B)(v) and 431(9)(B)(iv). The purpose of the exemption is to allow state and local parties "to educate the general public as to the identity of the candidates of the party." See Advisory Opinion 1978-9. The mailing lists the names of four individuals who are "seeking to serve."

Candidate identification, however, comprises a single sentence in a letter otherwise devoted to soliciting contributions to CAUSE. Other than the one sentence, the letter describes the need to raise funds and the mechanism with which the Committee hopes to accomplish its fundraising goals. The second page of the mailing is a CAUSE order form.

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The Committee's letter is certainly directed more at soliciting contributions than identifying the candidates of the party. The slate card exemption is not intended as a device for party committees to circumvent the Act's reporting provisions and limitations on contributions and expenditures. See AO 78-9. Therefore, the Committee's mailing apparently does not qualify as an exception to the \$1,000 expenditure threshold of 2 U.S.C. § 431(4). Because the evidence indicates that the Committee spent more than \$4,000 to mail its solicitation, but has never registered or reported as a political committee, the Office of the General Counsel recommends that the Commission find probable cause to believe the Committee and its treasurer violated 2 U.S.C. § 433(a) and 2 U.S.C. § 434(a)(1).

Whenever any person solicits any contribution through any direct mailing, the communication (if not authorized by a candidate, candidate's committee, or agents thereof) must clearly state who paid for the communication and that the communication is not authorized by any candidate or candidate's committee. 2 U.S.C. § 441d(a)(3).

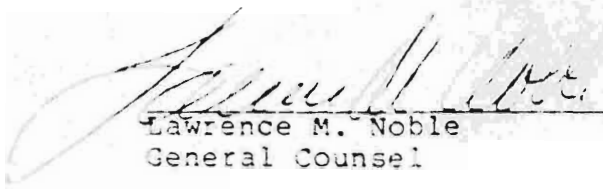
The Committee's solicitation does not contain the required disclaimer. Therefore, the Office of the General Counsel recommends that the Commission find probable cause to believe the Committee and its treasurer violated 2 U.S.C. § 441d(a)(3).

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that Thornton Township Regular Democratic Organization and Tina Seala, as treasurer, violate 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1), and 2 U.S.C. § 441d(a)(3).

Date

12/1/87


Lawrence M. Noble
General Counsel

38040725204



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 4, 1987

**Deborah Ann Rumsa, Director
Calumet Area United to Save Employment
9966 South California
Evergreen Park, Illinois 60642**

**RE: MUR 2180
Calumet Area United to
Save Employment**

Dear Ms. Rumsa:

Based on a complaint filed with the Federal Election Commission on May 28, 1986, the Commission, on December 8, 1986, found that there was reason to believe Calumet Area United to Save Employment ("CAUSE") violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441b(a), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe CAUSE violated 2 U.S.C. § 441b(a) and probable cause to believe CAUSE violated 2 U.S.C. §§ 433(a) and 434(a)(1). The Commission may or may not approve the General Counsel's recommendations.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation occurred.

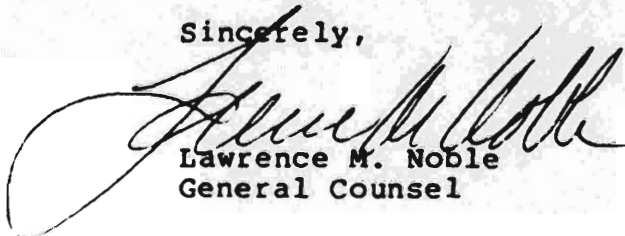
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If you are unable to file a response brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90, days to settle this matter through conciliation.

Should you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

38040725206

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Calumet Area United to Save)
Employment)

MUR 2180

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On December 8, 1986, the Commission found reason to believe Calumet Area United to Save Employment ("CAUSE") violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441b(a) by failing to register and report as a political committee, and by making corporate contributions or expenditures.

The basis for these findings was contained in a complaint filed by Gene Wolfe. The complaint indicated that in January 1986 Thornton Township Regular Democratic Organization (the "Committee") mailed a solicitation to approximately 18,000 registered voters. The \$4,371 cost of printing and mailing the solicitation was paid for by the Committee. The solicitation consisted of two sheets of paper, the first a cover letter encouraging readers to contribute to CAUSE, an organization "dedicated to the election and re-election of Democrats in our area." The body of the letter identified three "average-type individuals seeking to serve," including U.S. Representative Marty Russo. The second sheet contained a CAUSE contribution form. It included the statement "Let's put Democrats in Washington." Neither sheet contained a disclaimer stating who paid for or authorized the solicitation. CAUSE is an Illinois not-for-profit corporation incorporated on September 9, 1985.

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Under Illinois law, corporations may make unlimited contributions in connection with state elections. The complaint implied that the Committee intended to support Democratic candidates with the proceeds it would receive from the solicitation it apparently mailed on behalf of CAUSE.

Evidence supplied in a supplemental complaint, and in a sworn statement submitted to the Commission by CAUSE Director Deborah Ann Rumsa, however, indicates there was a misunderstanding between CAUSE and the Committee. At a May 12, 1986, Illinois State Board of Elections hearing, Ms. Rumsa testified that CAUSE is not affiliated with any political party. Further, Ms. Rumsa has stated that CAUSE never endorsed any federal candidate or made expenditures to advocate the election or defeat of any federal candidate.

According to Ms. Rumsa, CAUSE did not authorize the Committee to send out the solicitation, specifically asked that CAUSE's name not be used in the mailing, and objected to the mailing after learning of it. CAUSE, however, received \$1,526 in the form of contributions from the mailing, and none of the contributions were refunded. According to an expenditure disclosure form, CAUSE's only disbursements were for legal fees, products advertised in the solicitation, and loan repayments to CAUSE officials. CAUSE is now dissolved as a corporation.

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II. ANALYSIS

8 8 0 4 0 7 2 5 2 0 9

The terms "contribution" and "expenditure" include any gift, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. 2 U.S.C. §§ 431(8)(A)(i) and 431(9)(A)(i). The term "political committee" means any group of persons which receives contributions or makes expenditures aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. § 431(4). Each political committee must file a Statement of Organization. 2 U.S.C. § 433(a). Each treasurer of a political committee must file reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). It is unlawful for any corporation to make a contribution or expenditure in connection with a federal election. 2 U.S.C. § 441b(a).

CAUSE's articles of incorporation state that its purpose is to "support the election and re-election of candidates," however, according to its state reports, CAUSE did not make any expenditures relating to federal elections. The Committee's solicitation was apparently prepared and mailed without CAUSE's knowledge or approval. CAUSE, however, did accept the \$1,526 in contributions received as a result of the Committee's solicitation.

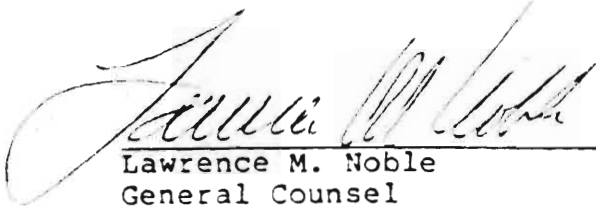
Because CAUSE neither accepted any prohibited funds nor made any expenditures regarding federal elections, the General Counsel's Office recommends that the Commission find no probable cause to believe CAUSE violated 2 U.S.C. § 441b(a). However,

because the evidence also indicates that CAUSE received and accepted contributions exceeding \$1,000 during a calendar year as a result of the Committee's solicitation, CAUSE appears to have become a federal political committee, required to register and report pursuant to the Federal Election Campaign Act of 1971, as amended. Accordingly, this Office recommends that the Commission find probable cause to believe CAUSE violated 2 U.S.C. §§ 433(a) and 434(a)(1).

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find no probable cause to believe Calumet Area United to Save Employment violated 2 U.S.C. § 441b(a).
2. Find probable cause to believe Calumet Area United to Save Employment violated 2 U.S.C. §§ 433(a) and 434(a)(1).

12/1/57
Date


Lawrence M. Noble
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION COMMISSION

88 JAN 22 PM 3:21

In the Matter of)

Calumet Area United to Save)
Employment)

Thornton Township Regular)
Democratic Organization and)
Tina Sekula, as treasurer)

MUR 2180

SENSITIVE
EXECUTIVE SESSION

FEB 02 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 4, 1987, the General Counsel's Office mailed the respondents General Counsel's Briefs containing probable cause recommendations. The Brief to Calumet Area United to Save Employment ("CAUSE") recommended that the Commission find no probable cause to believe CAUSE violated 2 U.S.C. § 441b(a), and probable cause to believe CAUSE violated 2 U.S.C. §§ 433(a) and 434(a)(1). The Brief to Thornton Township Regular Democratic Organization (the "Committee") and its treasurer recommended that the Commission find probable cause to believe the Committee and its treasurer violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441d(a)(3). No respondent has submitted a reply brief.

II. FACTUAL AND LEGAL ANALYSIS

For the reasons stated in the General Counsel's Brief, this Office now recommends that the Commission find no probable cause to believe CAUSE violated 2 U.S.C. § 441b(a), and probable cause to believe CAUSE violated 2 U.S.C. §§ 433(a) and 434(a)(1). This Office also recommends that the Commission take no further action against CAUSE. Such a disposition is appropriate because the solicitation at issue in this matter was prepared and mailed by

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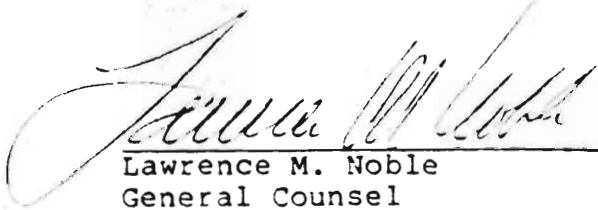
because the evidence also indicates that CAUSE received and accepted contributions exceeding \$1,000 during a calendar year as a result of the Committee's solicitation, CAUSE appears to have become a federal political committee, required to register and report pursuant to the Federal Election Campaign Act of 1971, as amended. Accordingly, this Office recommends that the Commission find probable cause to believe CAUSE violated 2 U.S.C. §§ 433(a) and 434(a) (1).

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find no probable cause to believe Calumet Area United to Save Employment violated 2 U.S.C. § 441b(a).
2. Find probable cause to believe Calumet Area United to Save Employment violated 2 U.S.C. §§ 433(a) and 434(a) (1).

33040725211
Date

12/1/57


Lawrence M. Noble
General Counsel

the Committee without CAUSE's consent, indeed, over CAUSE's objections. In addition, CAUSE's only disbursements were for legal fees, products advertised in the solicitation, and loan repayments to CAUSE officials. CAUSE is now dissolved as a corporation.

For the reasons stated in the General Counsel's Brief, this Office now recommends that the Commission find probable cause to believe the Committee and its treasurer violated 2 U.S.C.

§§ 433(a), 434(a)(1), and 441d(a)(3). This Office also recommends that the Commission approve the attached conciliation agreement.

III. DISCUSSION OF CONCILIATION PROVISIONS

The attached conciliation agreement contains an admission of the violations and a civil penalty of \$1,500. That amount represents \$250 for the disclaimer violation, \$250 for failing to register, and \$1,000 for failing to report.

IV. RECOMMENDATIONS

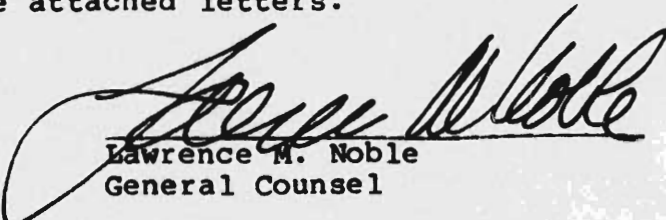
1. Find no probable cause to believe Calumet Area United to Save Employment violated 2 U.S.C. § 441b(a).
2. Find probable cause to believe Calumet Area United to Save Employment violated 2 U.S.C. §§ 433(a) and 434(a)(1), but take no further action.
3. Find probable cause to believe Thornton Township Regular Democratic Organization and Tina Sekula, as treasurer, violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441d(a)(3).
4. Approve the attached conciliation agreement.

88040725212

5. Approve and send the attached letters.

Date

1/22/88


Lawrence M. Noble
General Counsel

Attachments

- I. Proposed conciliation agreement
- II. Letters

Attorney: Robert Raich

88040725213

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Calumet Area United to Save)
Employment)
) MUR 2180
Thornton Township Regular)
Democratic Organization and)
Tina Sekula, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of February 2,
1988, do hereby certify that the Commission decided by a
vote of 6-0 to take the following actions in MUR 2180:

1. Find no probable cause to believe Calumet
Area United to Save Employment violated
2 U.S.C. § 441b(a).
2. Take no further action with respect to the
violation of 2 U.S.C. §§ 433(a) and 434(a)(1)
by the Calumet Area United to Save Employment.
3. Find probable cause to believe Thornton
Township Regular Democratic Organization and
Tina Sekula, as treasurer, violated 2 U.S.C.
§§ 433(a), 434(a)(1), and 441d(a)(3).
4. Approve the conciliation agreement attached
to the General Counsel's report dated
January 22, 1988.

(continued)

38040725214

Federal Election Commission
Certification for MUR 2180
February 2, 1988

Page 2

5. Direct the Office of General Counsel to send appropriate letters pursuant to the above actions.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

2/11/88

Date
corrected

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

38040725215



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 5, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Frederick R. Redell, Esquire
376 Yates Avenue
Calumet City, Illinois 60409

RE: MUR 2180
Thornton Township Regular
Democratic Organization
and Tina Sekula, as
treasurer

Dear Mr. Redell:

On February 2, 1988, the Federal Election Commission found that there is probable cause to believe Thornton Township Regular Democratic Organization and Tina Sekula, as treasurer, violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441d(a)(3), provisions of the Federal Election Campaign Act of 1971, as amended.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

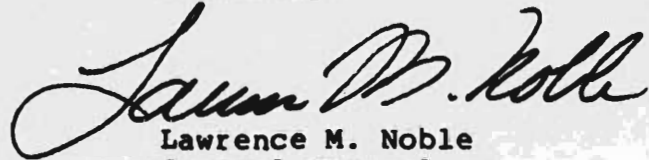
If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation

99040725216

Letter to Frederick R. Redell
Page 2

agreement, please contact Robert Raich, the attorney handling
this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble".

Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

38040725217



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 5, 1988

Ms. Deborah Ann Rumsa, Director
Calumet Area United to Save Employment
9966 South California
Evergreen Park, Illinois 60642

RE: MUR 2180
Calumet Area United to Save
Employment

Dear Ms. Rumsa:

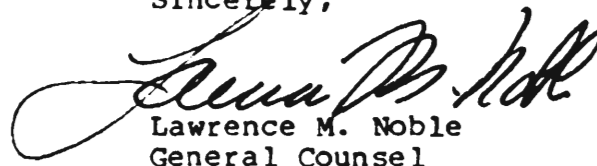
This is to advise you that on February 2, 1988, the Federal Election Commission found no probable cause to believe Calumet Area United to Save Employment violated 2 U.S.C. § 441b(a). On that date the Commission also determined to take no further action against Calumet Area United to Save Employment with respect to violations of 2 U.S.C. §§ 433(a) and 434(a)(1).

The file will be made part of the public record within 30 days after the matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

38040725218

BEFORE THE FEDERAL ELECTION COMMISSION

88 MAY -9 PM12:38

In the Matter of)
)
Thornton Township Regular)
Democratic Organization and)
Tina Sekula, as treasurer)

MUR 2180

EXECUTIVE SESSION

MAY 17 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 5, 1988, the Commission sent the respondents' counsel a letter informing him of the Commission's probable cause findings against his clients and enclosing a conciliation agreement. (Attachment I) Respondents' counsel received that letter on February 11, 1988. (Attachment II)

On several occasions a Commission attorney left messages at the respondents' counsel's office requesting that he call the Commission attorney. On only one occasion did respondents' counsel return the call. On that occasion they discussed the conciliation agreement and the civil penalty generally, and respondents' counsel said he would call back within five days, which he failed to do. Respondents' counsel has been apprised that a failure to respond would result in a recommendation concerning filing a civil suit against Tina Sekula and the Thornton Township Regular Democratic Organization.

The respondents have not filed any conciliation agreement with the Commission. Under these circumstances, the General Counsel's Office recommends that the Commission authorize this Office to file a civil suit for relief in United States District Court against the respondents.

33040725219

II. RECOMMENDATIONS

1. Authorize the Office of the General Counsel to file a civil suit for relief in United States District Court against Thornton Township Regular Democratic Organization and Tina Sekula, as treasurer.
2. Approve and send the attached letter.

Date

5/9/88

Lawrence M. Noble (HJ)
Lawrence M. Noble
General Counsel

Attachments

- I. Commission's 2/5/88 letter
- II. Return receipt
- III. Proposed letter

Staff member: Robert Raich

83040725220

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Thornton Township Regular) MUR 2180
Democratic Organization)
and Tina Sekula, as)
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of May 17, 1988,
do hereby certify that the Commission decided by a vote of
5-0 to take the following actions in MUR 2180:

1. Authorize the Office of the General Counsel
to file a civil suit for relief in United
States District Court against Thornton
Township Regular Democratic Organization
and Tina Sekula, as treasurer.
2. Approve and send the letter attached to
the General Counsel's report dated May 9,
1988, subject to the correction noted in
the meeting.

Commissioners Aikens, Elliott, Josefiak, McGarry, and
Thomas voted affirmatively for the decision; Commissioner
McDonald was not present at the time this matter was under
consideration.

Attest:

5/18/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

98040725221



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 24, 1988

Frederick R. Redell, Esquire
376 Yates Avenue
Calumet City, Illinois 60409

RE: MUR 2180
Thornton Township
Regular Democratic
Organization and
Tina Sekula, as
treasurer

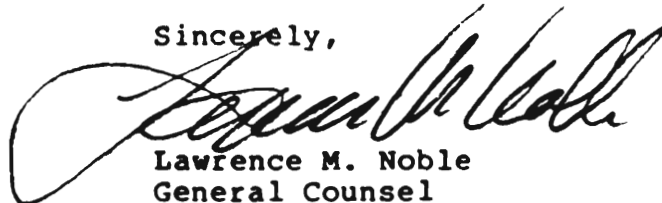
Dear Mr. Redell:

You were previously notified that on February 2, 1988, the Federal Election Commission found probable cause to believe Thornton Township Regular Democratic Organization and Tina Sekula, as treasurer, violated 2 U.S.C. §§ 433(a), 434(a)(1), and 441d(a)(3), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation within the allowable time period, the Commission has authorized the General Counsel to institute a civil action for relief in the United States District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Ivan Rivera, Assistant General Counsel, at (202) 376-8200, within five days of your receipt of this letter.

Sincerely,



Lawrence M. Noble
General Counsel

98040725222



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE END OF MUR # 2180

DATE FILMED 12/30/88 CAMERA NO. 4

CAMERAMAN AS

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